

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Susan Fairchild

Hector Rivera

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Leonel Alexander HERNANDEZ

Case No. 25-mj-30102

AMENDED CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 28, 2025 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

8 U.S.C. 1326(a),(b)(1)

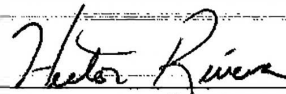
Offense Description

Unlawful Reentry Following Removal, Prior Felony Conviction

This criminal complaint is based on these facts:

On or about February 28, 2025, in the Eastern District of Michigan, Southern Division, Leonel Alexander HERNANDEZ, an alien from Honduras, who had previously been convicted of a felony offense and was subsequently denied admission, excluded, deported, and removed therefrom on or about February 11, 2011 at or near Alexandria, LA, was found in the United States without having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), (b)(1).

☐ Continued on the attached sheet.



Complainant's signature

Hector Rivera, Deportation Officer, ICE

Printed name and title

Sworn to before me and signed in my presence
 and/or by reliable electronic means.



Judge's signature

Date: March 3, 2025City and state: Detroit, MI

Kimberly Altman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

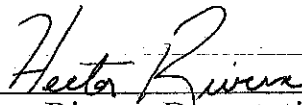
I, Hector Rivera, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) of the United States Department of Homeland Security (DHS) at the Detroit Field Office. I have been employed in this capacity since February 2007. I am currently assigned to the Detroit ICE-ERO Fugitive Operations team.
2. This affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint and an arrest warrant for Leonel Alexander HERNANDEZ, an alien who had previously been convicted of a felony offense and who has previously been removed from the United States on or about February 11, 2011, at or near Alexandria, Louisiana, and was thereafter found in the United States on or about February 28, 2025, without having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission, all in violation of Title 8, United States Code, Section 1326(a), (b)(1).
3. The information contained in this affidavit is based upon my personal knowledge and observations, information provided by other law enforcement personnel to include ICE ERO Deportation Officers, and database record checks. I have also reviewed records from the official immigration file and system automated data relating to HERNANDEZ. I have not included every fact known to law enforcement related to this investigation.
4. HERNANDEZ is a forty-year-old citizen and a native of Honduras who last entered the United States on an unknown date, at an unknown place, without being inspected and admitted or paroled by an immigration officer.
5. On March 01, 2010, Immigration and Customs Enforcement (ICE) Officers encountered HERNANDEZ at the Loudoun Adult Detention Center (ADC) in Leesburg, Virginia, ICE lodged an I-247 Detainer while pending charges for

Felony Hit and Run and Felony Driver not Report with death/injury charges by the Loudoun County, Virginia Sheriff's office.

6. On May 18, 2010, the Loudoun County Circuit Court in Leesburg, Virginia convicted HERNANDEZ for the Felony offense of Hit and Run. The court sentenced HERNANDEZ to two years' incarceration with a suspended sentence of one year and five months. HERNANDEZ served a total of seven months in custody.
7. On September 20, 2010, the ADC released HERNANDEZ to ICE custody, ICE served HERNANDEZ with an I-862 Notice to Appear. On January 20, 2011, an Immigration Judge in Oakdale, Louisiana ordered HERNANDEZ removed to Honduras. On February 11, 2011, ICE removed HERNANDEZ from the United States to Honduras via the Alexandria, Louisiana port of entry.
8. On February 28, 2025, the ERO Detroit North Team traveled to the area of Hampden and Leroy St. in Taylor, MI in search of Leonel Alexander HERNANDEZ. At approximately 08:00 a.m., a male subject matching the physical description of HERNANDEZ exited the residence and walked up to the corner of Hampden and Leroy St. Officers approached and encountered the individual to identify based on the reasonable suspicion that this individual matched the description of the target seen exiting the residence. Officers approached, identified themselves and conducted a field interview.
9. HERNANDEZ stated his name to be Leonel Alexander HERNANDEZ, and stated he is a citizen and national of Honduras. Deportation Officers placed HERNANDEZ under arrest based on probable cause that he was an alien who had unlawfully reentered the United States after having been previously removed.
10. ICE-ERO Deportation Officers transported HERNANDEZ to the Detroit Field Office for processing. The arrest and subsequent detention of HERNANDEZ was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.

11. HERNANDEZ's fingerprints and photograph were captured and searched in the ICE/FBI systems. The fingerprints returned with a positive match for Leonel Alexander HERNANDEZ, a native and citizen of Honduras who had previously been removed from the United States.
12. A review of HERNANDEZ's immigration file, record checks, and queries in the U.S. Department of Homeland Security databases confirmed that HERNANDEZ did not obtain the permission or express consent from the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States following his removal on February 11, 2011.
13. On February 28, 2025, ICE-ERO served HERNANDEZ with Form I-871, Notice of Intent/Decision to Reinstate Prior Order.
14. Based on the above information, I believe there is probable cause to conclude that Leonel Alexander HERNANDEZ is an alien, who was previously convicted of a felony offense and who has previously been removed from the United States on or about February 11, 2011, at or near Alexandria, Louisiana and was thereafter found in the United States on or about February 28, 2025 in the Eastern District of Michigan, without first having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, all in violation of Title 8, United States Code, Section 1326(a), (b)(1).



Hector Rivera, Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Kimberly Altman
United States Magistrate Judge

March 3, 2025